

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

PROPOSED AGENDA FOR REGULAR COUNCIL MEETING, COUNCIL CHAMBERS APRIL 19, 2005 9:00 A.M.

ROLL CALL

Invocation – Fire Chaplain Ed Sinke
Pledge of Allegiance

REGULAR AGENDA

1. Discussion/Action to support Council vote in Regular Agenda to (1) reaffirm the February 2004 proclamation denouncing violence against women and (2) remove Mr. Cushing from committees and decisions involving law enforcement and women's issues.
[Irasema Coronado, Coalition Against Violence Toward Women and Families at the Border]

MAYOR'S PROCLAMATIONS

1. ***NORTH AMERICAN OCCUPATIONAL SAFETY WEEK***
2. ***SENIOR GAMES MONTH***
3. ***EL PASO ARBOR WEEK***

RECOGNITION

HONORARY CITIZEN CERTIFICATES TO THE INTERNATIONAL MILITARY SCHOOL STUDENTS IN PARTNERSHIP WITH THE US ARMY AIR DEFENSE ARTILLERY SCHOOL.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

2. APPROVAL OF MINUTES: [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of April 12, 2005 and Special City Council Meeting of April 12, 2005 (Amendment to Revised Resolution - 2005 General Election).

3. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

4. RESOLUTIONS:

4A. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor") and Menlo Worldwide Forwarding, Inc. f/k/a Emery Air Freight Corporation ("Assignor") and BT Property, LLC (Assignee") for office and warehouse space, loading dock, parking aprons, and vehicle parking area at the Air Cargo Center, 301 George Perry Blvd., Suite A, El Paso, Texas. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

4B. That the City Manager be authorized to sign a Landscape Cost Sharing Agreement between the City of El Paso and the State of Texas, acting through the Texas Department of Transportation, allowing the City to participate in a landscape development project. The project will landscape 26 existing medians with an irrigation system, stamped colored concrete, provide loose aggregate for groundcover, weed barrier, vegetation and a 12 month maintenance contract on BU 54 (Dyer Street) from Hondo Pass Dr. to McCombs Street. The total estimated cost of the Project is \$730,000.00. The City's total contribution is \$480,000.00. The State contribution is an amount not to exceed \$250,000.00. Project PBE04ST114; Fund 29129; Department 14200403; Account 508027 **(District 4)** [Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

4C. That the City Manager be authorized to sign a Personal Services Contract between the CITY OF EL PASO and LEA R. HUTCHINSON as the Zoo Director, at a biweekly rate of \$3,144.60. The term of the contract shall be from April 20, 2005 through October 19, 2005 with options to renew not to extend past December 31, 2006. Fund Source: 34010289-40403-34000 [City Manager, Joyce A. Wilson, (915) 541-4844]

4D. 1. That facsimile signatures of the Comptroller and Municipal Clerk are authorized for the following Wells Fargo Bank accounts:

<u>Account Numbers:</u>	<u>Account Descriptions:</u>
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9763173243	City of El Paso Concentration Account
9763173292	City of El Paso Payroll Account
9763173284	City of El Paso Pension Payroll Account
9763173250	City of El Paso Employee Health Benefits
9763173375	City of El Paso Workers' Compensation Ward N.A. Administrators
9763173433	City of El Paso Flex Medical Reimbursement Plan Account
9763173417	Plaza Theatre Project

2. That facsimile signatures of the City Tax Assessor and Collector and Municipal Clerk are authorized for the following Wells Fargo Bank accounts:

Account Numbers: Account Descriptions:

9763173334	Tax Overpayment Refunds Account
9763173342	Prepaid Property Taxes Account
7480012579	City Tax Assessor Account
8377031581	CEP Tax Office Convenience Fee
7480000814	Tax Lockbox Account

3. Confirmation of the individuals in these positions can be verified through the Human Resources Department of the City of El Paso.

4. This resolution supersedes all prior resolutions authorizing signatories for these accounts which are hereby revoked.

[Comptroller, Carmen Arrieta-Candelaria, (915) 541-4435]

4E. 1. That for the following Wells Fargo Bank accounts:

Account Numbers: Account Descriptions:

9763173243	City of El Paso Concentration Account
9763173292	City of El Paso Payroll Account
9763173284	City of El Paso Pension Payroll Account
9763173250	City of El Paso Employee Health Benefits
9763173375	City of El Paso Workers' Compensation Ward N.A. Administrators
9763173433	City of El Paso Flex Medical Reimbursement Plan Account
9763173417	Plaza Theatre Project

the City Council designates, pursuant to Section 7.20 of the City Charter, the following employee positions to act as designees of the following:

Comptroller designees:

Treasury Services Manager
Financial Reporting Manager
Deputy City Manager for Financial and Administrative Services

City Clerk designees:

Deputy City Clerk
Director, Office of Management & Budget

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Comptroller designees:

City Tax Assessor and Collector

City Clerk designees:

Deputy City Clerk
Director, Office of Management & Budget

3. Confirmation of the individuals in these positions can be verified through the Human Resources Department of the City of El Paso.

4. This resolution supersedes all prior resolutions authorizing signatories for these accounts which are hereby revoked.

[Comptroller, Carmen Arrieta-Candelaria, (915) 541-4435]

- 4F.** That the Mayor be authorized to sign on behalf of the City County Health & Environmental District (EPCCHED), the following contract amendment and renewal, and related materials, with the Texas Commission on Environmental Quality:

TCEQ PM 2.5 MONITORING

Contract Number 582-5-55865, Amendment 2

Funding Source: Dept. ID 41150012, Fund 05627, Grant G410521 for FY2005

This amendment allows EPCCHED to request payment for work performed from December 1, 2004 through August 31, 2006 even though the contract was not fully executed until December 6, 2004. The District will continue to operate six PM Samplers. Amendment 2 does not change the work plan, the term of the contract, or the amount of the contract as last amended. Original Contract approved by City Council on November 23, 2004 as item number 4C. Amendment 1 approved by City Council on February 22, 2005 as item number 5G. [El Paso City-County Health and Environmental District, Dr. Jorge C. Magaña, (915) 771-5702]

- 4G.** That the City Manager be authorized to sign an Agreement for Engineering Services between the CITY OF EL PASO and SLI ENGINEERING, INC. for a project known as "Upper Valley Road" for an amount not to exceed Two Hundred Seventy-Nine Thousand and No/100 Dollars (\$279,000.00). **(District 1)**

This item will be funded with 2004 Bond Issue funds. The account information is as follows: 14200403/PBE04ST13929155/508016

[Engineering Department, Irene Ramirez, (915) 541-4431]

- 4H.** That the City Manager be authorized to sign a First Amendment to an Agreement for Engineering Services by and between the CITY OF EL PASO and PARKHILL, SMITH & COOPER, INC., for a project known as "Roseway Street and Drainage Improvements" in an amount not to exceed THIRTY-EIGHT THOUSAND FIVE HUNDRED and NO/100 DOLLARS (\$38,500.00). **(District 6)**
The item will be funded by 2004 Bond Issue project funds.
Account #14200403/PBE04ST12729142/508016.
[Engineering Department, Irene Ramirez, (915) 541-4431]
- 4I.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of SENIOR INTERNAL AUDITOR is hereby created as specified in the duties and responsibilities attached hereto. The Code is 5228. The Grade is EX G.
Salary Range: \$59,942.63 - \$94,206.47(EX G)
Fund Source: 15010716-01101-15000
[Human Resources, Terry A. Bond, (915) 541-4509]
- 5.** Notice to set a public hearing to be held on May 10th, 2005 to determine if the property located at 131 Linden Street Apt. B in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated January 25th, 2005. The owners of record as of March 17th, 2005, Maria Lourdes and Carlos J. Corral, 131 Linden Street, El Paso, Texas 79905, have been notified of the violations at this property. **(District 3)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 6.** Notice to set a public hearing to be held on May 10th, 2005 to determine if the property located at 5318 Gateway East Boulevard in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated June 14th, 2004. The owners of record as of March 2nd, 2005, Marcelo and Nora Vasquez, 5318 Gateway East Boulevard, El Paso, Texas 79905, have been notified of the violations at this property. **(District 3)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 7.** Request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:
- 7A.** Secretary I (1)
Fund Source: 72010268-01101-502001
[Economic Development, David G. Dobson, (915) 541-4680]
- 7B.** Aquatic Supervisor (4)
Fund Source: 51010230-01101-51152
[Parks & Recreation, Norman Merrifield, (915) 541-4331]
- 8.** Request for provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:
- Labor Foreman I (1)
Fund Source: 32010200-01101-32000
[Street Department, Daryl W. Cole, (915) 621-6750]

9. STAFFING TABLE CHANGE:

City Manager

Add 1.00 Senior Internal Auditor EX G

Fund Source: 15010716-01101-15000

[City Manager, Joyce A. Wilson, (915) 541-4844]

10. BOARD RE-APPOINTMENT:

Olivia Chavez to the City Accessibility Advisory Committee by Representative Susan Austin, District 1. [Representative Susan Austin, (915) 541-4886]

11. BOARD APPOINTMENTS:

11A. Willie R. Padilla, Jr. to the City Accessibility Advisory Committee by Representative Robert A. Cushing, Jr., District 2.
[Representative Robert A. Cushing, Jr., (915) 541-4996]

11B. Blanca Dominguez to the Charitable Solicitations Commission by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]

12. RESIDENTIAL STREET LIGHT: Approve installation, power, and maintenance of residential street light at the following location:

Between 1175 and 1179 John Phelan Dr. Cost \$1,200 (District 6)

Account No. 504420, Dept ID No. 01153008, Fund No. 16506

[Representative Paul J. Escobar, (915) 541-4182]

13. DISCRETIONARY FUNDS:

13A. Request to allocate \$2,500 from District #8 Discretionary Funds to the Central Business Association to assist in the development of the Downtown "Gone to Lunch" Concert Series to include blockage of San Antonio Street, electricity, entertainment, and vendor support. Concert series to begin on a weekly basis (every Friday) starting on April 29th from 11 a.m. to 2:00 p.m.
(ID#01153012, Acct. #504420, Project #PD80429, Fund #16508, Class #01001)
[Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]

13B. Authorization to use District 5 discretionary funds in the amount of \$1,750.00 to pay for a portion of the costs of the traffic control for the Fourth of July Parade to be presented by the El Paso Del Norte Lions Club, District 2T3; such funds to be applied as a credit to the costs that the City will bill the Lions Club for.
From Account No. Special Projects Account 504420, Dept. ID 01010005, Fund 01101, to Fund 01001, Dept. ID 21010050, Account 501018.
[Representative Presi Ortega, Jr., (915) 541-4189]

- 14.** Request that the City Council authorize an emergency procurement and that the City Manager be authorized to sign a contract with Alpha Southwest, Inc. in the amount of \$186,911.00 for the rehabilitation of the old water well, which is used for irrigation purposes, at the El Paso International Airport Lone Star Golf Course (Contract No. 2005-196). Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

The existing water well at the golf course had ceased to produce water and the drilling of a new well was authorized. However, problems with the new well have been encountered; scant amounts of muddy water were produced. The Engineer and Contractor continue to work to find a resolution, but the possibility exists that there will not be enough water produced by the new well to meet the golf course's water demand. Therefore, there is a need to rehabilitate the old well. In the interim, the golf course continues to utilize a fire hydrant for watering purposes.

This procurement is necessary to preserve the public property of the Municipality and is exempt from the competitive bid requirements of Chapter 252 of the Local Government Code, as noted in Section 252.022, General Exemptions.

Department: Aviation
 Funds available in: PAP0033-41074-62620022-508027
 Funding Source: Airport Land Sales Restricted Fund
 Amount: \$186,911.00

District (s): 2

[Purchasing Department, Byron Johnson, (915) 541-4308]

- 15. CHANGE ORDER:** [Purchasing Department, Byron Johnson, (915) 541-4308]

Approve Change Order No. One (Construction Change) to F. T. James Construction, Inc. for Contract No. 2004-214, McKelligon Canyon Park Improvements project for an increased amount of \$36,210.00. Change Order also adds fourteen (14) days to the contract time. The purpose of this change order is as follows:

Remove the existing paving and replace with a slab at existing dressing room. \$7,331.00

Remove the existing windows at West end of Pavilion and replace with windows similar to the new windows. \$2,990.00

Lower and modify electrical conduits at stage and dressing rooms. \$12,897.00

Replace load bearing wall at dressing room and place new concrete footing. \$5,114.00

Replace decorative vigas at Pavilion. \$5,290.00

Paint and refurbish existing storage rooms. \$2,588.00

[Purchasing Department, Byron Johnson, (915) 541-4308]

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

This is a thirty-six month contract with no option to renew, Carefree Janitorial Service offers a 1%-10 Day Prompt Payment Discount.
[Purchasing Department, Ray Heredia, (915) 541-4316]

This is a thirty-six month contract with no option to renew, No Prompt Payment Discount. [Purchasing Department, Ray Heredia, (915) 541-4316]

- 16C.** Solicitation No.: 2005-110 Janitorial Services Pavo Real Recreation Center
Award to: Carefree Janitorial Services
El Paso, TX
Item (s): All
Amount: \$23,004.00 (estimated yearly)
- Department: Parks & Recreation
Funds available: 51010256-01101-502206 & 51510115-16312-502206
Funding source: Parks Operating Account & Users Fee,
Maintenance Service Contracts - Janitorial
- Total award: \$69,012.00 (estimated)
District (s): 3

Parks & Recreation, Center Staff and Purchasing recommend award as indicated, Carefree Janitorial Services is the lowest responsive bidder and meets the Best Value Criteria.

This is a thirty-six month contract with no option to renew. Carefree Janitorial Services offers a 1%-10 Days, Prompt Payment Discount.
[Purchasing Department, Ray Heredia, (915) 541-4316]

- 16D.** Solicitation No.: 2005-111 Janitorial Services for South El Paso, Sacramento, Eastside and Polly Harris Senior Citizen Centers
- Vendor 1: Lucy's Cleaning Service
El Paso, TX
Item(s): South El Paso & Sacramento Centers
Amount: \$19,503.75 (estimated yearly)
- Vendor 2: Professional Building Maintenance Service
El Paso, TX
Item(s): Eastside Sr. Citizen Center
Amount: \$11,073.12 (estimated yearly)
- Vendor 3: Carefree Janitorial Services
El Paso, TX
Item(s): Polly Harris Sr. Citizen Center
Amount: \$8,550.00 (estimated yearly)
Total award: \$39,126.87 (estimated yearly)
- Department: Parks & Recreation
Funds available: 51010256-01101-502206 & 51510198-16321-502206
& 51510172-16319-502206 & 51510404-16326-502206 & 51510958-16328-502206
Funding source: Operating Accounts and User Fees, Maintenance
Total award: \$117,380.61 (estimated)
District (s): 2, 3, 5, and 8

Parks & Recreation, Center Staff, and Purchasing recommend award as indicated, these vendors provided and meets the Best Value Criteria.

This is a thirty-six month contract with no option to renew, Prompt Payment Discount are offered as follows: Lucy's Cleaning Services 3%-10 Days, Professional Building Maintenance Services 2%-10 Days and Carefree Janitorial Services 1%-10 Days. [Purchasing Department, Ray Heredia, (915) 541-4316]

- 16E.** Solicitation No.: 2005-133 Traffic Signal Priority Control System
Award to: Consolidated Traffic Controls, Inc.
Arlington, Texas
Item (s): All items @ a total of \$90,721.00
Options: A, B, and C - To purchase additional quantities
@ a total of \$29,797.00
Amount: \$120,518.00
Department: El Paso Fire Department
Funds available: 71150069-508027-07792-G7130CD0010 (\$68,488.00)
71150069-508027-07816-G7130CD0036 (\$52,030.00)
Funding source: Community Development Block Grant
Capital Projects Fund
Community Development Block Grant
Capital Projects Fund
Total award: \$120,518.00
District (s): 7 and 8

The Fire and Purchasing Departments recommend award to Consolidated Traffic Controls, Inc. as indicated, as this vendor has provided the Best Value Bid. This vendor is also the sole responsive offer that was received.

This is a best value single (one-time) procurement, to purchase a Traffic Signal Priority Control System for the El Paso Fire Department. Options were offered to purchase up to one-hundred percent (100%) of the original contract quantities, at the same unit price, if the options were exercised within sixty (60) days, ninety (90) days, and one-hundred and eighty (180) days, from the contract award date. Additionally, the Fire Department would like to exercise the option to purchase additional quantities, to affix the traffic light control system to four additional intersections. No prompt payment discount is offered.

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

17. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

- 17A.** Solicitation No.: 2005-085 Uniforms & Corporate Wear, Red Kap Catalog
Award to: Vendor 1: Bazaar Uniforms & Men's Store
El Paso, Texas
Item (s): Group IA, Group IB, Group II
Group III: Items 4, 5 and 6

Amount: \$67,000.00 (estimated per year)

Vendor 2: Uniforms of Texas
El Paso, Texas

Item (s): Group III: Items 1, 2 and 3
Amount: \$3,000.00 (estimated per year)

Department: Department of Aviation
Funds available: 62620003-503121
Funding source: Airport Operating Fund
Total award: \$210,000.00 (estimated)
District (s): 3

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

This is a three (3) year Contract, for "Uniforms & Corporate Wear, Red Kap Catalog" for the Department of Aviation, however, other City departments may utilize this Contract, to meet their requirements as the need arises. The Contract will officially begin at 12:01 a.m. May 1, 2005.

Vendor-1 offers the City the option of extending the term of the contract for twenty-four (24) additional months utilizing the same pricing structure, if the option is exercised within two (2) years from the date of award of the contract. Vendor-1 does not offer a prompt payment discount. Vendor-2 does not offer a prompt payment discount and did not fully complete the option of extending the term of the contract. [Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

- 17B.** Solicitation No.: 2005-128 Air Purification Respiratory Parts
Award to: First In, Inc.
El Paso, Texas
Item (s): #1
Amount: \$150,000.00 (estimated annually)
- Department: Fire
Funds available: 22010319-503208
Funding source: Fire Department SCBA/Logistics Budget
Total award: \$300,000.00 (estimated)
District (s): All

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months. [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

- 17C.** Solicitation No.: 2005-139 Proprietary Parts & Service-Trane HVAC Systems
Award to: Southwest Trane
 El Paso, Texas
Item (s): Group A, #1 & #2, Group B
Amount: \$50,000.00 (estimated annually)

Department: Building Maintenance
Funds available: 31010326-502226
Funding source: Building/Facilities Maintenance
Total award: \$150,000.00 (estimated)
District (s): **All**

The Building Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

- 17D.** Solicitation No.: 2005-149 Herbicides
Award to: Carso, Inc.
 Camargo, Illinois
Item (s): #1 thru #3 (all)
Amount: \$36,227.50 (estimated annually)

Department: Street
Funds available: 32010200-503113-01101
Funding source: Street Department General Operation Funds
Total award: \$72,455.00 (estimated)
District (s): **All**

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

No options offered.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months. [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

- 17E.** Solicitation No.: 2005-155 25 Cubic Yard Roll-Off Containers
Award to: Roll-Offs USA
 Durant, OK
Item (s): #1 - 25 Cubic Yard Roll-Off Containers.
 16 each @ \$3,448.00
Option: #1D – Purchase additional quantities.
 11 each @ \$3,448.00
Amount: \$93,096.00

Department: Street Department

Funds available: 04200401-508029-PBM0005003-29203
 Funding source: 2004 Capital Acquisition
 Total award: \$93,096.00
District (s): All

The Street and Purchasing Departments recommend award to Roll-Offs USA, as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase sixteen (16) 25-Cubic Yard Roll-Off Containers for the Street Department. An option is offered to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one-hundred and twenty (120) days, from the contract award date. Additionally, the Street Department would like to exercise this option to purchase an additional seventeen (17) 25-Cubic Yard Roll-Off containers. Total award including item #1 and option #1A is \$93,096.00. No prompt payment discount is offered.

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

- 17F.** Solicitation No.: 2005-138 Museum of Archaeology Walking Path Repairs
 Contractor: Tirayan Construction
 El Paso, Texas

Department: Museum
 Funds Available: 31114001-PPWFA03021-27042-508027
 Funding Source: 1994 Certificate of Obligation
 Items: Base Bid \$47,600.00
 Alternate \$14,500.00
 Total Award: \$62,100.00
District (s): 4

The Departments of Engineering, and Museum recommend the award of this contract to Tirayan Construction, the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Byron Johnson, (915) 541-4308]

- 17G.** Solicitation No.: 2005-141 EPIA Lift Station Renovation
 Contractor: Thermodyn Contractors, Inc.
 El Paso, Texas

Department: El Paso International Airport
 Funds Available: 62620029-PAP0032-41073-508027
 Funding Source: Airport Capital Improvement Funds
 Items: Base Bid \$105,499.00
 Total Award: \$105,499.00
District (s): 2

The Departments of El Paso International Airport and Engineering recommend the award of this contract to Thermodyn Contractors, Inc., the low responsible, responsive bidder. It is requested that the City Manager be authorized to sign the referenced contract. Additionally, it is requested that the City Manager be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Byron Johnson, (915) 541-4308]

18. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

18A. BT2005-902 AIRPORT

Transfer of funds to complete the drilling of a new well at the Lone Star Golf Course. **(District 3)**

Increase	\$250,000	to	62620022/PAP003341074/508027	Construction
Increase	\$250,000	to	62620022/PAP003341074/407001	IntrafdTrf (U)
Increase	\$250,000	to	62620017/40107/407002	Est Rev
Increase	\$250,000	to	62620017/40107/507001	IntrafdTrf (S)

18B. BT2005-920 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer is required to provide the needed funds to complete the George Orr Rd. Street, 28th Year project (2002-2003), a Community Development Street and Drainage Project. **(District 3)**

Decrease	\$45,000	from	71150069/G7129CD000107747/508027	Construction
Increase	\$45,000	to	71150069/G7128CD003107755/508027	Construction
Decrease	\$45,000	from	71150069/G7129CD000107747/406000	FedGrtProc
Increase	\$45,000	to	71150069/G7128CD003107755/406000	FedGrtProc

18C. BT2005-928 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$18,752 to the school flasher project to fund installation of a new school safety flasher on Rich Beem Blvd for Hurshel Antwine Intermediate School. Funding source is the Socorro Independent School District. **(District 5)**

Decrease	\$18,752	from	31255004/PPW005227691/405067	Rembrsd Exp
Increase	\$18,752	to	31255004/PPW005227691/508027	Construction

18D. BT2005-948 PARKS AND RECREATION

This budget transfer requests a new appropriation to make capital modifications to sports fields at Modesto Gomez, Blackie Chesher, & Marty Robbins. Backstops will be replaced; dugouts covered; and outfield fences replaced. Money is available in Acosta Sports Fund Balance. **(Districts 5, 6 & 8)**

Increase	\$80,000	to	51010215/P50020216302/407002	EstRev
Increase	\$80,000	to	51010215/P50020216302/508004	PubUseFac

18E. BT2005-949 PARKS AND RECREATION

This budget transfer requests a new appropriation to make capital building improvements to the San Juan Recreation Center. New scoreboards will be installed and the weight room will be remodeled and updated with rubber flooring and machines. Money is available in San Juan Rec Center's Fund Balance. **(District 3)**

Increase	\$21,445	to	51510123/P50021316313/407002	Est Rev
Increase	\$21,445	to	51510123/P50021316313/508003	Bldg Imprvmt

19. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

19A. Harvest Christian Center to use amplification (2 amplifiers for guitars and 2 speakers) at Thorn Park – 5260 Mace St on April 30, 2005 from 3:00 p.m. to 6:00 p.m. for a church outreach. Approximately 20 persons will take part and 100 spectators are anticipated. PERMIT #05-029 [Robert Quinones] (District 1)

NO OBJECTIONS FROM PARK. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

19B. One Source Federal Credit Union to use amplification (2 microphones and 2 speakers) at Vista Del Valle Park – 1288 Hawkins on April 23, 2005 from 11:00 a.m. to 3:00 p.m. for a kids carnival. Approximately 15 persons will take part and 100 spectators are anticipated. PERMIT #05-030 [Melissa Valverde] (District 5)

NO OBJECTIONS FROM PARKS. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

19C. City of El Paso / Representative District 8 to use amplification (2 microphones, 2 amplifiers and 2 speakers) at Calendar Park – 401 E San Antonio Ave on April 29, 2005 and May 6, 2005 from 11:30 a.m. to 1:00 p.m. for a public concert. Approximately 5 persons will take part and 100 spectators are anticipated. PERMIT #05-031 [Anthony Cobos] (District 8)

NO OBJECTIONS FROM PARK. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 19D.** Beto O'Rourke Campaign to use amplification (4 speakers, 2 microphones and 1 amp) at Armijo Park – 710 E Seventh Ave on April 23, 2005 from 4:00 p.m. to 7:00 p.m. for a political rally. Approximately 500 persons will take part.

PERMIT #05-035 [Beto O'Rourke] **(District 8)**

NO OBJECTIONS FROM PARKS. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

REGULAR AGENDA

20. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

- 20A.** An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code, by amending Chapter 2.30 (Building Board of Appeals), Section 2.30.060 (Powers) to add the Outdoor Lighting Ordinance (Chapter 18.18) to the list of ordinances which the Building Board of Appeals is authorized to grant variances and hear appeals over.

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

- 20B.** An Ordinance to amend Title 18 (Building and Construction) of the El Paso Municipal Code, Chapter 18.18 (Outdoor Lighting Ordinance), by adding Section 18.18.375 (Historic Properties) to exempt certain historic properties from required compliance with the Outdoor Lighting Ordinance. The penalty is as provided in Section 18.02.107 of the El Paso City Code.

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

- 20C.** An Ordinance to amend Title 19 (Subdivisions) of the El Paso Municipal Code, Chapter 19.16 (Improvement Standards and Design Principles), Section 19.16.030 (Street Lighting) to ensure consistency with the Outdoor Lighting Ordinance, to amend Section 8 (Street Lighting) of Appendix A to Title 19 to provide that lighting standards shall be as on file with the City Engineer, and to amend Chapter 19.04 (General Provisions) Section 19.04.100 (Subdivision Improvement Design Standards) to eliminate conflict with the proposed amendment to Section 8 of Appendix A of Title 19. The Penalty is as provided in 19.04.190 of The El Paso Municipal Code. **(All Districts-City Wide)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 20D.** An ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 1, Civil Service Commission, Section 10, Commission Recorder, to clarify disciplinary procedures. [Human Resources, Terry A. Bond, (915) 541-4509]

PUBLIC HEARINGS WILL BE HELD ON MAY 3, 2005 FOR ITEMS 20A – 20D

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

21. APPLICATION FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

Rio Bravo Healthy Communities Council to hold a march on April 27, 2005 from 12:00 p.m. to 3:30 p.m. Route: Start at the corner of Florence and Seventh St, proceed on Seventh to Stanton, turn left on Stanton to the Bridge of the Americas, turn back around on Stanton to Father Rahm, turn right on Father Rahm to Florence and finish at Armijo Park. Approximately 120 persons will take part. This request includes permission to use amplification (1 microphone, 1 amplifier – 120 watts and 2 speakers – 60 watt). Request waiver of fees for processing the application (\$15.75) and for the necessary police traffic assistance. Signed affidavit submitted. Permit #05-032 **(District 8)** [Isabel Olague]

NO OBJECTIONS FROM FIRE, SUN METRO, PARKS AND TRAFFIC / ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 10 OFFICERS AND 10 VEHICLES. ESTIMATED COST TO CITY: \$639.00; ESTIMATED COST TO APPLICANT: \$1,111.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

22. MAYOR AND COUNCIL:

22A. Discussion and action to direct the City Manager to have staff 1) Investigate the feasibility of granting an extended lease to the Manhattan Heights Neighborhood Association for the Garden Center located at Memorial Park, and 2) If such is feasible, to enter into required negotiations and execute the necessary documents to allow the issuance of the extended lease.

[Representative Robert A. Cushing, Jr., (915) 541-4996]

22B. Discussion and Action on the issuing of permits pertaining to the property located at 1480 Cedar Oak Drive. [Representative Vivian Rojas, (915) 541-4108]

23. CITY ATTORNEY:

Discussion and action authorizing the City Attorney or her designee to negotiate and enter into contracts with outside counsel to represent the City of El Paso in connection with the City's efforts to collect from Asarco the costs of remediating the El Paso metals site. [City Attorney's Office, James A. Martinez, (915) 541-4550] POSTPONED FROM 04/12/05

24. ENGINEERING: [Engineering Department, Irene Ramirez, (915) 541-4431]

Discussion and action on a resolution that the City Manager be authorized to sign a Consultant Services Agreement by and between the CITY OF EL PASO and AMEC EARTH & ENVIRONMENTAL, INC., for environmental engineering services for a period of two (2) years in an amount not to exceed SEVEN HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$750,000.00).

25. PURCHASING: [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

Request rejection of Bid No. 2005-163, Remanufactured Engines & Transmissions as recommended by the Purchasing and Fleet Service Department. The Department will review the necessity of this equipment and the specifications and make a determination to rebid.

Department: Fleet Services
Funding Source: Fleet Service Internal Service Fund

26. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:

- 26A.** Public hearing to determine if the property located at 1105 Loma Verde Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated July 19th, 2004. The owners of this property, Lawrence W. & Catherine J. Few, 1105 Loma Verde Drive, El Paso, Texas 79936, have been notified of the violations at this property. **(District 6)**

[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

POSTPONED FROM 03/22/05, 01/25/05, 11/30/04, 11/02/04 AND 10/12/04

- 26B.** Public hearing to determine if the property located at 5557 Peinado Lane, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 31st, 2004. The owner of this property, Estate of Stella Oster, C/O I. H. Wolfe, 5557 Peinado Lane, El Paso, Texas 79903, has been notified of the violations at this property. **(District 2)**

[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

27. PUBLIC HEARINGS – PLANNING, RESEARCH & DEVELOPMENT:

- 27A.** Discussion and action on a resolution approving Detailed Site Development Plan No. ZON05-00016, for a portion of Lot 1, Block 1, Mesa Hills West, El Paso, El Paso County, Texas pursuant to a special contract imposed by Ordinance No. 9394. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: K. Trinity Investments, LLC. **(District 8)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 27B.** Discussion and action on a resolution that the City of El Paso, Texas hereby grants the petition for annexation submitted by Ranchos Real IV, LTD., pursuant to the provisions of Section 43.028 of the Texas Local Government Code for certain vacant property totaling approximately 16.042 acres located within Tract 2, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas. The grant of the petition by the City of El Paso only authorizes receipt and processing of an annexation application and in no way infers approval of the application. **(District 5)**

[Planning, Research & Development, Rudy Valdez, 541-4635]

28. CITY MANAGER:

City Manager's report of current events and issues:

Notice that six-month mid-year budget report and FY06 budget assumptions will be presented at the April 26, 2005 meeting.

- 29.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 29A.** Discussion and action authorizing the City Attorney or her designee to negotiate and enter into contracts with outside counsel to represent the City of El Paso in connection with the City's efforts to collect from Asarco the costs of remediating the El Paso metals site. (551.071 and 551.072) **POSTPONED FROM 04/12/05**
[City Attorney's Office, James A. Martinez, (915) 541-4550]
- 29B.** *Frank Lopez, et. al. vs. City of El Paso*; Cause No. EP-05-CA-0009-FM in the United States District Court for the Western District of Texas. (551.071)
[James A. Martinez, City Attorney's Office (915) 541-4550]
- 29C.** *George DeAngelis v. The City of El Paso, et al*; Cause No. EP-05-CA-0113-DB. (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 29D.** *David Snow v. The City of El Paso, Texas, et al*; Cause No. EP-04-CA-0460-PM In the United States District Court for the Western District of Texas (551.071)
[City Attorney's Office, James A. Martinez, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov>